

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

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|----------------------|---|-----------------------|
| IN RE: |) | |
| |) | |
| ETHEL MAE VALENTINE, |) | CASE NO. 11-00135-PMG |
| |) | CHAPTER 13 |
| <u>Debtor.</u> |) | |

**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE SECURED STATUS OF
CLAIM FIVE (5) OF HFC AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtor's Motion to Determine Secured Status of the Homestead property mortgage held by HFC. (Claim Five) and to Strip Lien (the "Motion") filed April 2, 2012 and said Creditor having failed to file a written response to the Motion in accordance with Rule 2002--4, Local Bankruptcy Rules, it is

ORDERED:

1. The Motion to Determine Secured Claim Status of Claim Five (5) is GRANTED pursuant to 11 U.S.C. §506(a) and the mortgage lien is voided pursuant to 11 U.S.C. §506(d).

2. The value of that portion of Claim Five (5) secured by Real Property (Homestead) is \$0.00. The balance of this claim shall be treated as unsecured.

3. The legal description of this property is as follows:

Lot Thirteen (13), Block Nine (9), Carver Manor, Unit Nine (9),
According to the Plat Thereof, Recorded in Plat Book 74, Pages 73, 73A and 73B, Current Public
Records, Duval County, Florida.

Subject to Restrictive Covenants, Conditions, Easements and
Reservations of Record.

Tax Map or Parcel ID No.: 0419118-0290

4. The mortgage held by HFC recorded on August 6, 2007 at Book 14121, Pages 1235 through 1240, Document No. 2007252448 of the official records of Duval County, Florida, shall

be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtor's discharge in this Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of HFC's lien prior to the entry of the Debtor's discharge. Further, if this case is converted to a case under Chapter 7, or if this Chapter 13 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

DATED this 7 day of May 2012 at Jacksonville, Florida

Paul M. Glenn

PAUL M. GLENN
United States Bankruptcy Judge

Copies to:

Debtor, Ethel Valentine, 8410 Gullege Drive, Jacksonville, FL 32219-3163
Bankruptcy Law Firm of Lansing J. Roy, P.A., Debtor's Attorney, 1710 Shadowood Lane, Suite 210, Jacksonville, FL 32207
Douglas W. Neway, Trustee, P.O. Box 4308, Jacksonville, FL 32201-4308
United States Trustee's Office, 175 West Central Blvd, Suite 620, Orlando, FL 32801-2476
Registered Agent for Creditor, HFC, Inc., c/o Claude D. Carter, P.O. Box 13206, Roanoke, VA 24038-4125
Creditor, Tabitha Walker, HFC, P.O. Box 10490, Virginia Beach, VA 23450

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
U.S. VOL. 54 NO. 7549